27

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3484 of 2007

PETITIONERS : 1. Dwarika Prasad Sahu Aged about 47 Years, S/o. Shri Nandu Ram Sahu, Assistant Teacher, Govt. Primary School Kotela, Block Charama.
2. Suresh Kumar Khobragade, Son of Shri Pannulal @ Panjuram Khobragade, aged about 37 years, Assistant Teacher Govt. Primary School, Shahbada, Block Charama
3. Chhotelal Tiwari, Son of Shri Lakhan Lal Tiwari, aged about 43 years, Assistant Teacher Govt. Middle School Shahbada, Block Charama
4. Swami Ram Sahu Son of Shri Dhani Ram Sahu, aged about 49 years, Assistant Teacher – Govt. Middle School Barbaspur, Block Bhanupratappur.

All are at District Kanker (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary, School Education Department D.K.S. Bhawan, Raipur (C.G.)
2. The Director Public Instruction Department Raipur (C.G.)
3. District Education Officer Kanker District Kanker (C.G.)
4. Block Education Officer Kanker District Kanker (C.G.)
5. Block Education Officer Bhanupratappur Distt. Kanker (C.G.)
6. Treasury & Funds Department Kanker (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri D.N.Prajapati, Advocate for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondents.

ORDER

(Passed on 25th day of June, 2007)

1. The question of law involved herein is asto whether the petitioners are entitled to regular pay scale w.e.f the date of initial appointment or from the date of completion of probation period.

28

2. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition in respect to petitioner No. 1, 3 and 4 are the same as to that of in W.P.(S) No. 5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh & Others)**, which was allowed vide order dated 7.11.2006 whereas the facts and question of law involved in the present writ petition in respect of petitioner no. 2 is same as to that of in W.P. No. 5473/2006 **(Rakesh Kumar Sharma & another Vs. State of Chhattisgarh & Others)**, which was allowed vide order dated 09.10.2006.

3. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge